

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CIVIL ACTION NO. 7:20-CV-00357
	§	
11.406 ACRES OF LAND, MORE OR LESS,	§	
<i>et al.</i> ,	§	
	§	
Defendants.	§	

FINAL JUDGMENT

Before the Court is the Joint Stipulation for Revestment and Motion for Final Judgment (Dkt. No. 35) entered by Plaintiff, the United States of America (“United States”), and Defendants, Felix Luera Ranch, Ltd., and Ameida Salinas, Starr County Tax Assessor Collector (collectively, hereinafter “the Parties”), in the above-styled condemnation action.

The unresolved tracts in this case include the following three tracts that the United States acquired from Subject Property, respectively: Tracts RGV-RGC-1015, RGV-RGC-1016, and RGV-RGC-1018 (hereinafter, “Subject Property”). The Subject Property is described in the Declaration of Taking (Dkt. No. 2), and more specifically described in Schedules “C”, “D”, and “E” of said Declaration of Taking (Dkt. No. 2-1 at 6-25).

Pursuant to 40 U.S.C. § 3117, the United States may agree or stipulate to the revestment of condemned property to resolve condemnation cases.

On November 15, 2021, the Parties filed their Stipulation of Revestment, whereby the United States and Defendants jointly stipulated and agreed that all right, title, and interest acquired by the United States associated with or appurtenant to the Subject Property has been **REVESTED** in Defendant Felix Luera Ranch, Ltd. as it existed immediately before the time of the filing of the

Declaration of Taking, and title vesting in the United States. Defendant Felix Luera Ranch, Ltd. further accepted such **REVESTMENT** of the Subject Property.

Accordingly, pursuant to the Stipulation entered by the United States and Defendants, it is hereby **ORDERED** and **ADJUDGED** that the Subject Property—to wit: Tracts RGV-RGC-1015, RGV-RGC-1016, and RGV-RGC-1018—have been **REVESTED** back to Defendant Felix Luera Ranch, Ltd.

It is further **ORDERED** and **ADJUDGED** that:

- A. The full and just compensation payable by the United States for the time that it held title as to the Subject Property shall be the sum of one hundred and 00/100 dollars (\$100.00). This sum is in full satisfaction of any claims of whatsoever nature by Defendants against the United States for the institution and prosecution of the above-captioned action. Defendants further agree to waive any and all claims for additional compensation of any nature against the United States arising from the United States' acquisition of Subject Property.
- B. Judgment shall be and is hereby entered against the United States in the amount of one hundred and 00/100 dollars (\$100.00), along with any accrued interest, for the time that United States held title as to the Subject Property.
- C. The United States' estimate of just compensation remains on deposit in the Court's Registry and the Court now **ORDERS** the Clerk of Court to **DISBURSE** the following sums, along with any accrued interest earned thereon while on deposit, payable as follows:
 - The sum of \$100.00, with any accrued interest earned thereon while on deposit, payable to Felix Luera Ranch, Ltd., and mailed directly to counsel, Roy R. Brandys, Barron, Adler, Clough & Oddo, LLP at 808 Nueces St., Austin, Texas 78701.
 - The remaining sum of \$55,895.00, with any accrued interest, payable to "F&A Officer, USAED, Fort Worth," with the check referencing "Tract Nos. RGV-RGC-1015, RGV-RGC-1016, and RGV-RGC-1018."
- D. Defendant Felix Luera Ranch, Ltd. warrants that (a) it was the owner of the interest in the property taken in this proceeding on the respective dates of taking, (b) it has the exclusive right to the compensation set forth herein, excepting the interests of parties having liens, encumbrances of record, and unpaid taxes and assessments, if any, and (c) no other party is entitled to the same or any part thereof by reason of any unrecorded agreement.
- E. In the event that any other party is ultimately determined by a court of competent jurisdiction to have any right to receive compensation for the interests in the properties taken in this proceeding, Defendant Felix Luera Ranch, Ltd. shall refund into the Registry of the Court the compensation distributed herein, or such part thereof as the Court may direct, with interest thereon at an annual rate provided in 40 U.S.C. § 3116 from the date

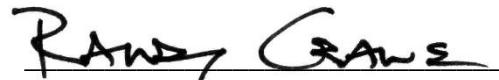
of receipt of the respective deposit by Defendant Felix Luera Ranch, Ltd., to the date of repayment into the Registry of the Court.

- F. The Parties shall be responsible for their own legal fees, costs, and expenses, including attorneys' fees, consultants' fees, and any other expenses or costs.
- G. The Parties shall take no appeal from any rulings or judgment made by the Court in this action, and the parties' consent to the entry of all motions, orders, and judgments necessary to make this stipulated judgment.
- H. This order is binding on the heirs, trustees, executors, administrators, devisees, successors, assigns, agents, and representatives of Defendants.

The United States is further **ORDERED** to record this Final Judgment and the Stipulation of Revestment with the Official Records of Starr County, Texas so as to provide notice with county deed records.

This case is terminated, and the Clerk of the Court is instructed to close the case.

SO ORDERED November 16, 2021, at McAllen, Texas.


Randy Crane
United States District Judge

